



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY TRAINING AND DOCTRINE COMMAND
950 JEFFERSON AVENUE
FORT EUSTIS, VIRGINIA 23604-5700

ATRM-MDA

29 AUG 2011

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: TRADOC Policy Letter 12, Unauthorized Commitments

1. References:

- a. TRADOC Regulation 5-14, Acquisition Management and Oversight, 5 Jan 09.
- b. Army FAR Supplement 5101.602-3, Ratification of Unauthorized Commitments, 1 Apr 10.
- c. Federal Acquisition Regulation (FAR) 1.602-3, Ratification of Unauthorized Commitments, 16 Mar 11.

2. Only warranted contracting officers have the authority to contractually bind the Government. No other person may attempt, either verbally or in writing, to bind the Government to purchase or lease supplies, services, or construction. An agreement to purchase or lease supplies, services, or construction by a person lacking contractual authority is not binding on the Government.

3. A person entering into a purchase or lease agreement without the contractual authority to do so is making an unauthorized commitment. Persons who make unauthorized commitments are in violation of federal procurement law and regulations and may be financially liable for the commitment, subject to Uniform Code of Military Justice, liable under the Antideficiency Act, and/or subject to adverse administrative action, as appropriate.

4. Commanders and staff principals must review their procedures and training to ensure that unauthorized commitments do not occur and that proper contracting procedures are followed for obtaining supplies, services, and construction.

5. This policy is effective until superseded or rescinded.

ROBERT W. CONE
General, U.S. Army
Commanding

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